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November 19, 2020

BY ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Jane Doe, et al. v. The Trump Corporation, et al., 18-cv-09936 (LGS)

Dear Judge Schofield:

We write on behalf of Plaintiffs in the above-referenced action, pursuant to Rule I.D.3 of Your Honor's Individual Rules and Procedures for Civil Cases ("Individual Rules"), to respectfully request provisional approval to file under seal an unredacted version of a joint letter ("Joint Letter") submitted on behalf of Plaintiffs and nonparties Metro-Goldwyn-Mayer Studios Inc. and JMBP, LLC (collectively, "MGM").

As set forth in the Joint Letter, MGM has produced documents and disclosed information to Plaintiffs that MGM has designated as "Confidential" under Paragraph 3 of the operative Protective Order (Doc. No. 112). Plaintiffs and MGM refer to certain of that information in their Joint Letter.

In accordance with Paragraph 16 of the Protective Order and this Court's Individual Rules, Plaintiffs have provisionally filed the unredacted Joint Letter under seal and have provisionally redacted references to the information MGM designated as Confidential in the Joint Letter filed on the public docket.¹ Pursuant to Rule I.D.3 of this Court's Individual Rules, however, the entity or entities "with an interest in confidential treatment bears the burden of persuasion." Individual Rules, Rule I.D.3.

In this case, MGM, as the entity that made the relevant confidentiality designations, has the "interest in confidential treatment." Accordingly, on November 18, 2021, counsel for Plaintiffs

¹ In accordance with Rule I.D.3, an unredacted copy of the Joint Letter, with redactions highlighted, will be filed under seal contemporaneously with this letter motion. *See* Standing Order, 19-mc-00583 (Dec. 19, 2019); Electronic Case Filing Rules & Instructions, Rule 6.8. Plaintiffs will timely serve the unredacted version on Defendants and MGM.

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met and conferred with counsel for MGM concerning Rule I.D.3 of this Court's Individual Rules and MGM's obligation thereunder to promptly email a letter to Your Honor "explaining why" MGM "seeks to have certain documents filed in redacted form or under seal," pursuant to Rule I.D.3. *Id.*

Finally, for the avoidance of doubt, Plaintiffs take no position at this time on whether the redacted information was properly designated as confidential or whether it ought to remain sealed from the public. Plaintiffs further respectfully reserve the right to challenge MGM's confidentiality designations in the future pursuant to Paragraph 15 of the Protective Order.

Thank you for your attention to this matter.

Respectfully submitted,



John C. Quinn

cc: Counsel of Record (*via* ECF)
Counsel for MGM (*via* ECF and email)